IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETH OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 21670 of 1994

Between:

Akula Rangaiah S/o. A. Agaiah
R/o. Hyderabad.

..... PETITIONER

AND

1 Municipal Corporation of Hyderabad, through its Commissioner at Tank Bund Road, Hyderabad.
2 The Asst. City Town Planner, Circle II, Municipal Corporation of Hyderabad, Hyderabad.
3 Akula Satyanarayana Rao S/o. Late Akula Swamy
R/o. 12-2-822/B/12, Santoshnagar, Mehdipatnam, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ or writs, order or directions, declaring and setting aside the order dt. 3/5.12.1994 issued in Procgs.No. 403/TP2/93/3039/3042 on the file of the first respondent, as illegal, arbitrary and without jurisdiction. Award Costs.

Counsel for the Petitioner:MR.K.RAGHUVEER REDDY

Counsel for the Respondent Nos.1 & 2: MR.V.RAGHUNATH REDDY, SC

Counsel for the Respondent No.3 : Mr.M.MOHAN RAO

The Court made the following :

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O R D E R :-

Heard both sides.

Perused the impugned order.

Show Cause Notice issued by the Municipal Corporation of Hyderabad, (R-1), dated 03/05-12-1004, is under challenge. In the said show-cause notice, the petitioner was called upon to show cause why permit No.475/1, dated 19-08-1994, issued to the petitioner for re-construction or execution of the work or further construction of the building, mentioned in the said show-cause notice, could not be cancelled.

Apparently, what is impugned in this Writ Petition is only a show-cause notice issued to the petitioner by the Municipal Corporation of Hyderabad. It appears there is some other civil litigation pending at the relevant point of time before the civil Court. No information is forthcoming as to the stage of the said civil litigation.

However, having regard to the facts and circumstances and as the impugned proceeding is only a show-cause notice, the petitioner is directed to file his reply to the said show-cause notice within two weeks from the date of receipt of a copy of this Order before the 1st respondent. If such a reply is filed by the petitioner, the 1st respondent shall consider the same and pass appropriate orders thereon in accordance with law and communicate the same to the petitioner. In case, the 1st respondent comes to the conclusion that the petitioner had committed any irregularity, it is open to the Municipal Corporation of Hyderabad, to take appropriate action against the petitioner, in accordance with law. Till such time, the interim order

passed by this Court on 09-12-1994 in W.P.M.P.No.26907 of 1994 shall continue to remain in force.

With the above direction, this Writ Petition is disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER.

To

1 The Commissioner, Municipal Corporation of Hyderabad,

Tank Bund Road, Hyderabad.
2 The Asst. City Town Planner, Circle II, Municipal Corporation of Hyderabad, Hyderabad.

3 2CCs to G.P.

4 2CD copies

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